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**TO:**

Name: Mail Stop AMENDMENT  
Art Unit 3731/Examiner Uyen Ho

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/664,498  
Gary Karlin Michelson  
Filed: September 19, 2003  
OSTEOGENIC PACKING DEVICE AND METHOD  
Attorney Docket No. 102.0003-09000  
Customer No. 22882  
Confirmation No.: 4672

**FROM:**

Name: Amedeo F. Ferraro

Phone No.: 310-286-9800

No. of Pages (including this): 20

Date: August 24, 2005

Confirmation Copy to Follow: NO

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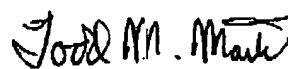
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that the attached Transmittal Form (in duplicate; \$800.00 total amount to cover the \$120.00 one-month extension fee, the \$180.00 IDS fee, and \$500.00 additional claims fee is to be charged to Deposit Account No. 50-1068), Information Disclosure Statement Under 37 C.F.R. § 1.97(c) with Form PTO-1449, and Amendment are being facsimile transmitted to the U.S. Patent and Trademark Office on August 24, 2005.

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Todd M. Martin

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FORM PTO-1083

AUG 24 2005

Attorney Docket No.: 102.0003-09000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Karlín Michelson

Serial No: 10/664,498

Filed: September 19, 2003

For: OSTEOGENIC PACKING DEVICE AND  
METHOD

Confirmation No.: 4672

Art Unit: 3731

Examiner: Uyen Ho

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated May 6, 2005 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a one-month extension of time to respond to the above office action.
- ☒ An Information Disclosure Statement Under 37 C.F.R. 1.97(c) with Form PTO-1449 are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	90	-	20	0	LG=\$80 SM=\$25	\$ 500
INDEPENDENT CLAIMS FEE	3	-	3	0	LG=\$200 SM=\$100	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180	\$ 0
TOTAL						\$ 500

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ A fee in the total amount of \$800.00 to cover the \$120 one-month extension of time fee, the \$180 IDS fee, and \$500 additional claims fee is to be charged to Deposit Account No. 50-1068.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

By:

  
Amedeo F. Ferraro  
Registration No. 37,129

Date: August 24, 2005

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Transmittal of Amendment.DOC

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AUG 24 2005

PATENT  
Attorney Docket No. 102.0003-09000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Confirmation No.: 4672
Gary Karlin Michelson	)	
Serial No.: 10/664,498	)	Group Art Unit: 3731
Filed: September 19, 2003	)	Examiner: Uyen Ho
For: OSTEOGENIC PACKING DEVICE)	)	
AND METHOD	)	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

In reply to the Office Action dated May 6, 2005, the period for reply having been extended for one month by a request for extension and fee payment filed concurrently herewith, please amend the application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Amendments to the Drawings** begin on page 6 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks** begin on page 7 of this paper.

An **Appendix** including amended drawing figures is attached following page 12 of this paper.

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01 FC:1251 120.00 DA

08/25/2005 JBALINAN 00000041 501068 10664498

03 FC:1202 500.00 DA

Amendment 8-24-05.doc